

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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IN RE: PROCESSED EGG PRODUCTS  
ANTITRUST LITIGATION

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Docket No: 08-md-02002  
MDL No. 2002

THIS DOCUMENT APPLIES TO:

ALL DIRECT ACTION PLAINTIFFS' CASES

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**DAPS' MOTION TO STRIKE DEFENDANTS' UNTIMELY DAUBERT MOTION  
AND UNTIMELY EXPERT REPORT**

Pursuant to the Court's Case Management Orders and the Federal Rules of Civil Procedure, the Direct Action Plaintiffs ("DAPs"), through counsel, move for an Order from this Court striking Certain Defendants' Motion *in Limine* To Exclude Dr. Baye's Damages Calculations (the "Daubert Motion") and the Declaration of Dr. Walker (the "Walker Surrebuttal"), Dkts. 1529 & 1530, because both filings violate the Court's deadlines by more than two years.

The grounds and reasons for granting this relief are explained in detail in the accompanying memorandum of law (including the supporting exhibits), which have been filed under seal as required by the Court's Protective Order, Dkt. 50.

Dated: August 25, 2017

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that on August 25, 2017, I caused a true and correct copy of the foregoing document to be filed on CM/ECF.

By: /s/ Samuel J. Randall

Samuel J. Randall

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